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Docket No.: 243647US2S

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/680,101

Applicants: Kanna TOMIYE, et al.

Filing Date: October 8, 2003

For: SEMICONDUCTOR DEVICE AND  
SEMICONDUCTOR DEVICE MANUFACTURING  
METHOD

Group Art Unit: 2812

Examiner: Lindsay Jr, Walter Lee

SIR:

Attached hereto for filing are the following papers:

**ELECTION**

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

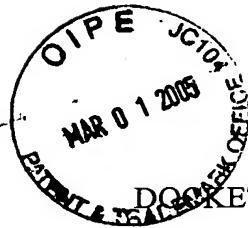
  
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DOCKET NO: 243647US2S

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
KANNA TOMIYE ET AL : EXAMINER: LINDSAY JR, WALTER L.  
SERIAL NO: 10/680,101 :  
FILED: OCTOBER 8, 2003 : GROUP ART UNIT: 2812  
FOR: SEMICONDUCTOR DEVICE AND :  
SEMICONDUCTOR DEVICE...

ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated February 4, 2005 Applicants elect Group I, Claims 1-29<sup>1</sup>, drawn to a semiconductor device, classified in class 257, and subclass 1+ for further examination on the merits. Applicants reserve the right to file one or more divisional applications directed to the non-elected species.

Accordingly, examination on the merits of Claims 1-29 is believed to be in order and an early and favorable action is respectfully requested.

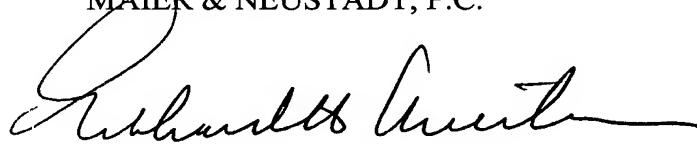
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<sup>1</sup> Although the outstanding restriction identifies Claim 36 as belonging to Group I, such grouping of method Claim 36 with the Group I device claims appears to have been in error. Accordingly, device Claims 1-29 are elected.